

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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ROBERT POLLAS,	:	
	:	
Plaintiff,	:	22-CV-10207 (MMG) (OTW)
	:	
-against-	:	<b><u>ORDER</u></b>
	:	
UNITED PARCEL SERVICE, INC.,	:	
	:	
Defendant.	:	
	:	
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**ONA T. WANG, United States Magistrate Judge:**

The Court is in receipt of ECF Nos. 31, 32, and 33.

The Status Conference scheduled for May 1, 2024 is **ADJOURNED** to **August 6, 2024 at 11 a.m.** in Courtroom 20D, 500 Pearl Street, New York, NY 10007.

On August 30, 2023, the Court denied without prejudice Plaintiff's motion to remand this action to state court on the grounds that complete diversity exists between the parties, and the amount in controversy exceeds \$75,000. (ECF 25). In that Order, I reiterated to Plaintiff that "**if Plaintiff amended his complaint to add his coworkers as defendants, this Court would no longer have diversity jurisdiction over the case and the case would be remanded back to state court.**" (ECF 25 at 1) (emphasis in original). This was the second time this has been communicated to Plaintiff by this Court. See ECF 23.

The Court set a deadline of September 20, 2023 for Plaintiff to file an amended complaint. (ECF 25 at 2). That deadline has long since passed. To date, Plaintiff has not filed an amended complaint, nor has Plaintiff taken any other action to prosecute this case.

In light of Plaintiff's medical issues raised in his April 24, 2024 Letter (ECF 31), the deadline for Plaintiff to file an amended complaint is hereby **EXTENDED** *nunc pro tunc* to **August 2, 2024**. **There**

**will be no further extensions granted.** If Plaintiff does not file an amended complaint, or take other action to prosecute this case in this Court, by August 2, 2024, the Court shall dismiss this action for failure to prosecute pursuant to Federal Rule of Civil Procedure 41(b)(1).

Defendant is directed to serve a copy of this Order on the *pro se* Plaintiff and file proof of service on the docket.

**SO ORDERED.**

Dated: April 26, 2024  
New York, New York

s/ Ona T. Wang  
**Ona T. Wang**  
United States Magistrate Judge